

Court rule proposals from numerous sources strive to improve court practice, procedure

The Michigan Supreme Court is often asked about the process by which court rules are amended. We feature here an overview explaining how court rule amendments are requested, and the range of options available to the Court in reviewing proposed changes. This material was first presented at the Lansing Bench/Bar Conference sponsored by the Appellate Practice Section of the State Bar of Michigan in April.

By Linda Mohny Rhodus
Supreme Court Administrative Counsel

The Michigan Court Rules of 1985 govern practice and procedure in all Michigan courts. Under Rule 1.201, unless there is need for immediate action with respect to a proposed amendment, the Supreme Court will publish the proposal for comment.

The Court similarly processes proposed amendments of other regulations within its jurisdiction. This includes the Michigan Rules of Evidence, the Rules for the Board of Law Examiners, the Michigan Code of Judicial Conduct, the Michigan Rules of Professional Conduct, and the Rules Concerning the State Bar of Michigan.

See COURT RULE, next page

**House Judiciary chairman
welcomes advice on issues**

See page 3

**Supreme Court to showcase
drug courts at hearing**

See page 7



The Michigan
Supreme Court's
goals for the
judiciary:

Fairness

Accessibility

Accountability

Effectiveness

Responsiveness

Independence

INSIDE THIS ISSUE:

National Drug Court Month highlights program benefits	5
Notice of public administrative hearing	7
Implementing the Adoption and Safe Families Act	8
Changeover	9
Administrative update	10
Grant update	11
Court Calendar	12

Court rule proposals strive to improve practice, procedure

Continued from previous page

Proposals for change come to the Court's attention in a variety of ways. For example, they may originate with a section or committee of the Bar. Often such proposals are first voted upon by the Bar's Representative Assembly or Board of Commissioners, and then submitted to the Court by the Bar itself.

Other proposals come from judicial organizations such as the Michigan Judges Association, and legal groups such as the Criminal Defense Attorneys of Michigan and the Prosecuting Attorneys Association of Michigan. Occasionally, individuals, both lawyers and nonlawyers, request a rule change. Sometimes the Court itself directs that an administrative file be opened to address a rule concern.

Regardless of the source, the proponent of the proposal will receive an acknowledgment from the Chief Justice or the Court's Administrative Counsel.

Most proposals initially are submitted to the Clerk of the Court and referred to Administrative Counsel. Once the Court decides to open a file to address a particular concern, the matter typically is assigned to a staff member for a report. The Justices then will consider the report, along with the proposal, at an administrative conference.

The Court may take a number of actions. It may decide to publish the proposal for comment, with or without editing. It may decide to refer the proposal to a professional organization for an initial assessment. It may decide to ask the requesting individual or group for additional information. Or, the Court may conclude that some other initial step is appropriate, or that further consideration of the proposal is not warranted. In any event, the Court will inform the proponent of its decision.

If the decision is to publish for comment, the Court will enter an order that explains the proposed changes (additions usually are underlined and deletions are indicated with strikeouts). The order will invite comments and state the deadline—the usual deadline is the first day of the month that is three full months after the month in which the order enters (for example, if the order enters in January, the comment deadline would be May 1).

Proposed amendments routinely are published in *Michigan Lawyers Weekly* and the *Michigan Bar Journal*, and also may be seen in *Michigan Reports* and on the Court's website at <http://www.supremecourt.state.mi.us>. Comments may be submitted to the Clerk's Office in writing or to the following e-mail address: MSC_Clerk@jud.state.mi.us. The Court is considering additional ways in which to use its website in the future.

The next usual step in the process is an administrative public hearing, at which interested persons again have an opportunity to comment briefly on the proposal. The hearing notice, including a list of the proposals on the agenda, is printed in several publications and on the Court's website. A proposal generally is not considered at a public hearing until the comment period has expired. However, there are circumstances in which a proposal will be on a hearing agenda before the comment deadline, or after it has been adopted by the Court.

Following the hearing, the Court will reconsider the matter, along with all comments and a new report from staff. Again, the Justices might take any number of actions, including adopting the proposal as published for comment, adopting an edited version of the proposal, or declining to make any changes.

See COURT RULE, page 5

Michigan Supreme Court REPORT

The *Michigan Supreme Court Report* is published by the Michigan Supreme Court.

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House Judiciary chairman welcomes advice on court issues, bills, in era of term limits

By Representative Jim Howell

Recently, I was appointed chairman of the Civil Law and the Judiciary Committee in the Michigan House of Representatives. There will be numerous issues that will come before the committee during this session, many of them having a direct impact on the judiciary. I believe that the members of this committee are unique in their experiences, and through cooperative effort with the members of the judicial branch, they will serve the judiciary and the state well.

In the era of term limits, it is more important than ever that to be successful we must reach out for information, ideas, and advice. As chairman, I have already met with members of the Supreme Court and officers of the various judicial organizations for ideas and information. We have also called upon members of the court to testify before the Committee. This will be a continuing process, allowing for the relationship between the legislature and judiciary to develop

Term limits is now fully implemented in the House of Representatives, and, for good or ill, it is something that is a factor in the passage of legislation. My observation is that it has a positive aspect in the willingness of the legislature to review issues and policies from a fresh perspective. However, there is also a very serious negative in the loss of institutional memory, lack of time to be able to deal with the more complex issues, and the loss of experience on the part of legislators. In any event, we must remain positive, for term limits is something that will continue to impact the process for the foreseeable future.

The House Civil Law and Judiciary Committee has 11 members, seven Republicans and four Democrats. One member is in his third and last term, seven are in their second term, and three are in their first term. Six members are attorneys with considerable years of practice. It is important that the Committee continue to educate itself and conduct its hearings in a careful and thoughtful manner. I have instituted a general policy to assist. Under normal circumstances, hearings on bills will be held with at least a week before votes. Further, there will be hearings on legislation or issues that may be educational, and that may not receive any further committee action. Due to term limits, this is especially necessary as members will not have had prior experience with the various issues that will come before them.

I am often asked what is the committee's "agenda." The answer is simple: it does not have a specific agenda. It is my personal belief that an important area is an examination of prior legislation that has already been enacted. We should be looking for success and failure, and where possible correcting the failures. This is possible at this point in history, as for the most part the members of this committee, and the House of Representatives as a whole, do not have "ownership" in the legislation. I do not mean to say there should be a dramatic shift in policy. The focus does not necessarily have to deal with dramatic policy changes, but rather in a search, with the help of the courts and the Bar, for problems that have developed because of the original bill, or the passage of time. In this regard, court decisions can be of assistance in pointing to areas that need review.

We are also holding hearings on issues without legislation having been assigned, or for that matter proposed. This is an effort to keep an open mind to the possibilities and allow

See HOUSE, page 4



Representative Jim Howell

House Judiciary chairman welcomes advice on issues

Continued from previous page

more input from outside the legislature. One thing that I have noticed since being elected to the legislature is that we often seem to put the cart before the horse. We are asked to conduct hearings on bills without first identifying whether there is a problem that needs addressing, or just as important, how to address the problem. In that regard, we will be holding hearings on issues, rather than just on bills that have been referred to our committee. When hearings are held on issues, and if there is consensus that legislation is necessary to address the issue, it is my intent to use the committee process in the drafting and introduction of the bill.

The issue that will most directly impact the judicial branch is the structure of the courts. As chairman, I believe that it is important to present my thoughts. I believe that the direction that this discussion should take is toward providing the judiciary, within the bounds of the current constitutional structure, as much flexibility in local structure as possible. I have had the privilege of practicing before all levels of the state and federal courts, and in a number of counties throughout Michigan. I realize, and firmly believe, that one size does not fit all, and that the problem is best addressed jurisdiction by jurisdiction. I also understand the reluctance on the part of some of the judiciary to see further structural changes, and I do not intend to lead the committee to proceed just for sake of change. However, I also believe that there is a need to allow for distribution of the caseload in a manner that will best utilize our judicial resources. This is the goal. One potential area that I believe needs examination is a concept of “flexible” concurrent jurisdiction. The utilization of this type of jurisdiction would be by a plan locally proposed and approved through the Supreme Court. At this stage, I believe that input from those in the judiciary is necessary to determine the

legal and practical ramifications. The key is that the jurisdiction would be flexible and designed by the local courts. I invite members of the judiciary to discuss this with me. In my estimation, this type of dialog will serve both the legislature and judiciary well.

Another area of interest involves bringing technology to the law. In the past 10 years, there have been dramatic changes in technology, and the Internet is now in common use among members of the Bar and the clientele they serve. House Bill 4140 (“cyber courts”) has been introduced and there will be hearings held on this subject this spring. The concept behind the cyber court is to allow disputes between business and commercial entities to be resolved with speed and efficiency. It would be located in one or more counties as determined by the Supreme Court. The facilities of the cyber court would be designed to allow all hearings and proceedings to be conducted by means of electronic communications, including video, audio, and Internet conferencing. Although this is beginning in the area of commercial law, it has a much broader potential application. It will of course be necessary to work with the Supreme Court through court rules, but the application for discovery and other pretrial procedures and motions should be apparent.

There are, of course, other issues that we may be called upon to review, including a possible constitutional amendment changing the way that members of the Supreme Court are chosen. In all these areas, cooperation with the courts of our state, and the use of their experience and expertise, are extremely important to successful committee work in this session. I am positive that all members of the Civil Law and Judiciary Committee wish to work as closely as possible with the judicial branch. I invite and encourage any input you may wish to give.

National Drug Court Month highlights benefits of court-supervised treatment programs

By Margie Good

Management Analyst, State Court Administrative Office

May was established as National Drug Court Month by the Congress of State Drug Court Associations that represents the membership of the National Association of Drug Court Professionals. National Drug Court Month recognizes the practitioners and participants who make drug treatment courts work and the significant contributions that drug treatment courts have made, and continue to make, in reducing drug usage and crime.

Drug treatment court programs combine intensive judicial supervision, mandatory substance abuse treatment, drug testing, and escalating sanctions and incentives in an effort to address an offender's substance abuse problem, which may lead to other criminal behavior. The programs aim to break the cycle and reduce the costs associated with drug addiction.

In 1997, the Government Accounting Office reported that 71% of all offenders entering drug courts since 1989 have either successfully completed their drug court programs or are actively participating in their programs.

The National Association of Drug Court Professionals reports that incarceration of drug-using offenders costs between \$20,000 and \$50,000 per person, per year. The capital costs of building a prison cell can be as much as \$80,000. In contrast, a comprehensive drug court system typically costs less than \$2,500 annually for each offender.

Breaking the cycle of addiction requires effective collaboration between agencies at the state and local level. Drug treatment courts help to ensure that treatment dollars are well spent by using the coercive power of the court to require participation by offenders in needed treatment programs, monitor compliance, and impose graduated sanctions for noncompliance. The successful drug court includes access for offenders to a continuum of care and ancillary services within the community to ensure that drug court participants receive the services they need to make long-term lifestyle changes. Ancillary services include GED completion, employment training, mentoring programs for juveniles, parenting classes, and health care services through collaborative partnerships with existing community services.

In 1994, there were 12 drug courts known to be operating nationwide. There are now over 1,000 drug courts that are in operation or in the planning stages. Michigan has 29 drug court treatment programs that are in operation or in the planning stages.

See NATIONAL, page 6

Court rule proposals strive to improve practice, procedure

Continued from page 2

If an order is issued adopting the proposal, it will be printed in the publications mentioned earlier, and on the Court's website. Unless there is a need for immediate action, rule amendments will take effect on one of three dates: January 1, May 1, or September 1.

If the Court declines by order to adopt a published proposal, that information also will be posted on the Court's website. Indeed, no matter what action the Court takes, the proponent will be notified and provided with a copy of any order.

National Drug Court Month highlights benefits of program

Continued from previous page

Michigan held the 2nd Annual Michigan Association of Drug Court Professionals conference in Lansing in January with over three hundred participants. Planning for the 3rd Annual Conference for next February in Detroit is under way.

On the national level, Drug Court Month will culminate with the 2001 National Association of Drug Court Professionals 7th Annual Training Conference from May 30 - June 2, 2001 in New Orleans.

Drug Court Treatment Programs in Michigan:

- ▶ Berrien County Trial Court, St. Joseph
- ▶ Kalamazoo Women's Drug Court Program, Kalamazoo
- ▶ Kalamazoo Men's Drug Court Program, Kalamazoo
- ▶ Kalamazoo Juvenile Drug Court Program, Kalamazoo
- ▶ Macomb Juvenile Drug Court Program, Mt. Clemens
- ▶ Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie
- ▶ 3rd Circuit Court (Juvenile Drug Court), Wayne County/Detroit
- ▶ 6th Circuit Court (Adult Drug Court), Oakland County/Pontiac
- ▶ 6th Circuit Court-Family Division (Juvenile Drug Court), Oakland County/Pontiac
- ▶ 7th Circuit Court (Adult Drug Court), Flint
- ▶ 56th Circuit Court (Adult DUI/OUIL Drug Court, 3rd OUIL Felonies), Charlotte
- ▶ 36th District Court (Adult Drug Court), City of Detroit
- ▶ 37th District Court (Adult Drug Court), Warren
- ▶ 51st District Court (Adult DUI/OUIL Drug Court), Oakland County/Waterford
- ▶ 52-1 District Court (Adult DUI/OUIL Court), Oakland County/Novi
- ▶ 52-4 District Court (Adult Drug Court), Oakland County/Troy
- ▶ 56A District Court (Adult DUI Drug Court), Charlotte
- ▶ 61st District Court (Adult Drug Court), Grand Rapids

Courts Planning Drug Court Treatment Programs:

- ▶ Barry County Trial Court-Family Division (Juvenile Drug Court), Hastings
- ▶ Isabella County Trial Court (Adult Drug Court), Mount Pleasant
- ▶ 3rd Circuit Court (Adult Drug Court), Wayne County/Detroit
- ▶ 37th Circuit Court (Adult Drug Court), Calhoun County/Battle Creek
- ▶ 38th Circuit Court (Juvenile Drug Court), Monroe County/Monroe
- ▶ 44th Circuit Court (Juvenile Drug Court), Livingston County/Howell
- ▶ 42-2 District Court (Adult Drug Court), Macomb County/New Baltimore
- ▶ 46th District Court (Adult Drug Court), Oakland County/Southfield
- ▶ 48th District Court (Adult DUI Drug Court), Oakland County/Bloomfield Hills
- ▶ 50th District Court (Adult Drug Court), Oakland County/Pontiac
- ▶ 86th District Court (Adult Drug Court), Antrim/Grand Traverse/Leelanau Counties/Traverse City

Notice of Public Administrative Hearing

Pursuant to Administrative Order 1997-11, the Michigan Supreme Court announces a public administrative hearing to be held on Thursday, June 14, 2001, in the County Commission Board Meeting Room on the second floor of the County Administrative Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, beginning at 9:30 a.m. and adjourning no later than 11:30 a.m. Persons wishing to address the Court as to matters on the agenda should be advised that each speaker will be allotted no more than three minutes. The time limit will be enforced. Any questioning of the speakers by the Court will take place after the time for addressing the Court has expired. Persons wishing to address the Court on administrative matters are requested to provide notification to the Office of the Clerk of the Court, P.O. Box 30052, Lansing, Michigan 48909, or MSC_Clerk@jud.state.mi.us, no later than Wednesday, June 12, 2001, in order to obtain a guaranteed place on the agenda.

Administrative matters on the agenda for this hearing are:

1.00-16 Proposed Amendment of Rule 2.602 of the Michigan Court Rules. Published at 463 Mich ____ (No. 6, 2001). *Whether to require that written objections to an order state with specificity the alleged inaccuracy or omission.*

2.00-19 Proposed Amendment of Rule 15 of the Rules Concerning the State Bar of Michigan. Published at 463 Mich ____ (No. 6, 2001). *Whether to increase the fee for character-and-fitness investigations from \$125 to \$225.*

00-22 Proposed Amendment of Rule 9.104 of the Michigan Court Rules and Rule 8.1 of the Rules of Professional Conduct. Published at 463 Mich ____ (No. 6, 2001). *Whether to revise these rules to state that conduct prior to admission to the bar, particularly conduct by an applicant for admission, may be a ground for professional discipline.*

4.00-26 Proposed Amendments of Rules 2.511 and 6.411 of the Michigan Court Rules. Published at 463 Mich 1221 (No. 5, 2001). *Whether to provide that alternate jurors be retained until the jury reaches a verdict.*

5.00-30 Proposed Amendment of Rule 7.205 of the Michigan Court Rules. Published at 463 Mich ____ (No. 6, 2001). *Whether to make the triggering event for filing a late application for leave to appeal under subrule (F)(3) the same as the triggering event for filing a timely application for leave to appeal under subrule (A).*

6.00-38 Review of Court Rule Amendment Procedures [see MCR 1.201; AO 1997-11] Published at 463 Mich ____ (No. 6, 2001). *Whether to expand the use of the Internet to provide greater public access to administrative proposals, and to modernize the notice procedures.*

7.01-15AO 2001-1 [Security Policies for Court Facilities] Published at 463 Mich 1202 (No. 2, 2001). *Whether the Supreme Court should establish a weapons policy for courts.*

The Court will further consider the matter of Drug Treatment Courts. The Kalamazoo County Drug Treatment Court Team, the Kalamazoo County Prosecuting Attorney and the President of the Michigan Association of Drug Court Professionals will explain the origins of the Drug Treatment Court movement, its philosophy, and its procedures in Kalamazoo. Juvenile and adult program graduates will discuss their Drug Treatment Court experiences with the Justices, who will also have the opportunity to ask questions.

The agenda items will be posted on the Michigan Supreme Court's web site in advance of the hearing. The web site address is www.supremecourt.state.mi.us. Notice of any additional matters for the agenda will follow as added.

Implementing the Adoption and Safe Families Act

by *Linda Glover*

CIP Implementation Coordinator, State Court Administrative Office

This is a summary of a document which was sent to all courts via an ASD memorandum on November 21, 2000. A re-distribution of that memo will take place soon because the SCAO has received feedback that critical staff may not be fully aware of court obligations under this federal statute. Non-compliance with the Adoption and Safe Families Act (ASFA) will hurt funding for child protective and juvenile justice cases. Courts, local funding units, and the Family Independence Agency will all be affected by actions the courts do or do not take relative to ASFA.

In November 1997, federal child welfare legislation known as the ASFA (Public Law 105–89) was enacted. It succeeded Public Law 96–272, commonly referred to as the “Reasonable Efforts Legislation,” and it amended title IV-B and IV-E of the Social Security Act. Funding under Part IV-E is generally for foster care activities including the administrative and direct costs of placing children in out-of-home care. Placement costs for IV-E eligible children are funded with a mix of 50% federal and 50% state dollars. When IV-E can be used, there is no cost to the county for placement in out-of-home care. The amount of IV-E dollars which Michigan receives for the costs of placement and administration in both child protective proceedings and juvenile justice cases is somewhere in the \$200 million range.

A child’s eligibility for IV-E dollars is determined by the Family Independence Agency (FIA). In addition to FIA certification of a number of eligibility factors, there are requirements for several determinations which must be made by the court. These judicial determinations must be made in a timely, accurate, and specific manner or the child may be ineligible for IV-E funding for the remainder of the time he/she spends in foster care.

The required judicial actions in summary form are as follows:¹

- **In the very first court order issued after removal, the court must make a judicial determination that remaining in the home is contrary to the child’s welfare or best interest.**
- **Within 60 days of the child’s removal from home, the court must find that “the agency has made reasonable efforts to prevent removal from the home.” The court may also find that reasonable efforts are not required if aggravated circumstances apply which generally are the conditions set forth in MCL 722.638 of the Michigan Child Protection Law.**
- **Every 12 months the court must determine that reasonable efforts are being made to finalize the permanency plan whether that be a return home or some other plan.**
- **In order not to jeopardize FIA IV-E administrative and training funds, all child protective and juvenile justice cases where the children are in placement must have a permanency hearing conducted every 12 months. The procedures for this hearing can be found in the Code of Federal Regulations Title 45 Part 1355.20 under Permanency Hearing.**
- **If a child is placed in foster care after being home for six months or more, even if the return home was a “trial home visit,” new determinations for IV-E eligibility must be made. A return to care after the child has been home for six months is considered to be a new removal.**

See IMPLEMENTING, page 9

Implementing the Adoption and Safe Families Act

Continued from page 8

Applicability of ASFA to Juvenile Justice Cases

Public Law 105–89 and its predecessor, Public Law 96–272, provide the requirements for distributing federal funds to the states’ child protection and foster care systems. There apparently has never been an indication of legislative intent to apply the statutes and funding to cases which are part of the juvenile justice system. However, a few states, including Michigan, have utilized IV-E funding to pay for out-of-the home placements for some youth who have been adjudicated delinquent, citing the similarity between the circumstances of children charged with crimes and those who are victimized by abuse and neglect.

There are conversations both locally and nationally about the continued application of ASFA and IV-E funding to the juvenile justice system. The FIA indicates that because the founding principles of the juvenile justice system stress rehabilitation and are oriented to permanency for youth, the elements of ASFA apply to some cases. They further indicate that nearly all of the youth entering the delinquency system have had numerous informal and formal interventions designed to keep the youth in their own home.

Requirements for IV-E Eligibility for Delinquent Youth

In order to make delinquent youth eligible for IV-E funding, all statutory and regulatory requirements of ASFA must be met. These include making a judicial determination that remaining in the home is contrary to the child’s best interest/welfare and all the other requirements which focus on making reasonable efforts towards the permanency plan.

In order to retain IV-E eligibility for placement, the court is required to make a finding that reasonable efforts to achieve permanency are being made in juvenile justice cases every 12 months (just as in child protective cases). Conducting permanency planning hearings, (where these findings are usually made) is a requirement of the FIA State Plan and failure to conduct permanency planning hearings in juvenile justice cases may result in Michigan losing significant administrative dollars which help pay for juvenile justice staff and training.

For further information contact Linda Glover or Bill Newhouse at 517–373–7498.

¹All judicial determinations must specify on what basis the determination is being made. Check boxes alone are not adequate. The determinations must be explicit and in writing. Affidavits and nunc pro tunc orders will not be accepted. See the Code of Federal Regulations, Title 45 Part 1356.21(d)(1)(2)(3)

Changeover

DEATHS

MEDEN, Richard E., Former Alpena County Probate Judge, passed away April 17, 2001. He served from 7/19/71-12/31/82.

Administrative Update

Administrative Mailings

03/02/01

SJI's for will contests and product liability

MJI Program Announcement:
Criminal Law Symposium

03/05/01

MJI PA - Family Div: New
Domestic Relations Mediators

03/06/01

Special legislative summary
1999-2000

03/09/01

Family Division: Experienced
Domestic Relations Mediator
Seminar

03/13/01

SCAO AM 2001-04: Non-
Custodial Parent Work First
Program

03/16/01

Mileage Rate for Service of
Process

03/22/01

Magistrate Specialty Seminar
May 3-4, 2001

LEIN Corrective Measures re
Legally Incapacitated Person, et al

03/23/01

Fmr Judge's Eligibility for Non-
Jud'l Elective Ofc AG Opin 7079

LEIN Corrective Measures -
Add'l Information

03/28/01

Reimbursement of Expenses -
Commercial Motor Vehicle
Legislation

03/30/01

Friend of the Court Annual
Statutory Review Due August 1,
2001

Judgments of Sentence,
Commitment to Corrections Dept

04/06/01

Traffic Safety Publication from
Prosecuting Attorneys Assoc.

36th District Court honored as a top Metro Detroit employer

36th District Court has been honored as one of Metro Detroit's 101 Best and Brightest Companies to Work For. The court was recognized by LinWick & Associates, L.L.C., an Oakland County-based human resources consulting firm, and the Wayne State University School of Business in cooperation with the Detroit Regional Chamber.

Chief Judge Marilyn E. Atkins credited her staff and numerous nominations for the award. The court is implementing a strategic plan that has brought steady improvement to the court, according to Judge Atkins. She said the award is one all 36th District Court employees could take pride in.

The honor is designed to highlight the most desirable employers in the southeastern Michigan region consisting of Wayne, Oakland, Macomb, Livingston, and Washtenaw counties. The goal of the program is to widely share best practices in the human resources field. Entrants in the program are nominated by their employees. For more information about the program, see its web site at www.101detroitbest.com.

Judge Nanci J. Grant honored by Women's Survival Center

Oakland Circuit Judge Nanci J. Grant was recently recognized by the Women's Survival Center of Oakland County for her dedication to the community and years of service as a board member. The Women's Survival Center is a nonprofit organization dedicated to helping women and children in need. Judge Grant is presiding judge of general jurisdiction for the Oakland Circuit Court.

Friend of the court annual statutory reviews due August 1

Michigan law (MCL 552.524) requires chief circuit court judges to annually review the performance of each friend of the court. Public notice of the annual review is required, and SCAO form FOC 18 may be used.

A copy of the review must be submitted to the SCAO - Friend of the Court Bureau by August 1, 2001. Please use SCAO form FOC 17 (rev. 6/97) and include a summary of public comments, citizen advisory committee reports or recommendations, and any written response by the friend of the court.

Friend of the Court Bureau Policies and Procedures Memo 1984-2 states that reviews need not be conducted if the friend of the court director has not served for at least one full year. If no review is conducted, the chief circuit judge should send the FOC 17 form to the bureau indicating why it was not conducted. Please direct any questions regarding the friend of the court annual statutory review to William J. Bartels at (517) 373-5975, or bartelsb@jud.state.mi.us.

LEIN information strictly for criminal justice agency use

Many courts recently received a request from the Michigan State Police to acknowledge compliance with National Crime Information Center limitations on use of Interstate Identification Index information which could be obtained via the Law Enforcement Information Network (LEIN). All court staff are reminded that records obtained via LEIN are for the use of criminal justice agencies only for criminal justice purposes, and should neither be obtained for personal use nor accessible to the public. MCL 28.214(3) created criminal penalties for improper dissemination of information obtained via LEIN. Such information would include criminal history records and driving records.

See LEIN, page 11

LEIN information strictly for criminal justice agency use

Continued from previous page

It is recommended that such documents not be made a part of any court file. If LEIN records are placed in court files, however, the court should implement a procedure and train all employees to remove such documents before allowing the file to be viewed by the public. It is recommended that court files containing LEIN material be marked on the exterior of the file as containing non-public information.

Training for criminal records reporting to be offered

Courts interested in training for the reporting of criminal dispositions may contact the Michigan State Police Criminal Justice Information Center. If sufficient interest is indicated, training will be conducted during 2001. E-mail inquiries should be directed to cjicrimhelp@state.mi.us or contact Tim Bolles at (517) 322-5529. The court name, contact person name, phone number, type of training requested, along with the number of people to be trained is required in the request.

Grant Update

The Drug Courts Program Office at the Department of Justice has made scholarships available for drug court training at the National Rural Institute on Alcohol and Drug Abuse in Menomonie, WI. The training to be offered June 3-7, 2001, covers the following matters: starting a drug court, including structure, key players, and eligibility rules; maintaining criminal justice and drug treatment linkages; measuring impacts and outcomes; identifying rural drug court resources; defining adolescent and family drug courts; identifying target populations; defining the roles of the county prosecutor and the public defender; testing for drugs; selecting treatment providers; and other topics. Full scholarships are available, including \$400 for travel. For further information, contact Deanna Applehans at the University of Wisconsin-Stout at (715) 232-2460. Email: applehansd@uwstout.edu

Michigan Justice Training Commission Competitive Grant Workshops: Grant application workshops for the year 2002 Michigan Justice Training Commission Competitive Grant program will be presented at three sites around the state. These workshops are being offered to all potential eligible applicant agencies. State and local agencies in the areas of law enforcement, adjudication, corrections, prosecution, and defense, as well as state supported colleges and universities, providing in-service criminal justice training for its employees, or employees of eligible agencies, may apply for justice training grant funds. It is strongly recommended that every agency with an interest in the competitive grant program send the individual(s) responsible for grant writing to one of the workshops. Reservations can be made by calling the commission offices at (517) 322-6627. If attendance at the workshop is not possible, grant application forms are available upon request. The workshops are as follows

Tuesday, May 22, 2001, Lansing

10:00 a.m.-12:00 p.m.

Michigan State Police Training Academy
Classroom: C-2

Thursday, May 24, 2001, Ann Arbor

10:00 a.m.-12:00 p.m.

Washtenaw Community College
Morris J. Lawrence Building, Rm 101

Wednesday, May 23, 2001, Gaylord

10:00 a.m.-12:00 p.m.

Marsh Ridge
Summit Conference Room

Administrative Mailings

continued from previous page

04/13/01

Information about e-mail Delivery and Responsibility for Distrib.

Institute for Court Management
Web Based Training Opportunities

Personal Computer Skills for Court Administrators

National Judicial College
Training Opportunity:
Co-occurring Disorders

Judicial leave Usage Reporting

04/20/01

Electronic Access to Case Management System Databases

Attorney Training for Domestic Violence Matters

Juvenile Law I Seminar June 25 - 28, 2001, East Lansing

04/27/01

State Bar Admissions

Youth in the Criminal Justice System: Guidelines for Policymakers

Seminars: Enhancing Judicial Skills in Domestic Violence Cases

Grant Funding Info: MI St Bar Foundation & MI Justice Trg Comm

Supreme Court Notice of Public Administrative Hearing

Lewis F. Powell, Jr. Award for Professionalism & Ethics

05/07/01

Staff Assistance for CSES Conversion Process

May 2001

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| 16-18 | Michigan Court Administration Annual Conference, Mission Point Resort, Mackinac Island | 22-23 | JIS Circuit Court Training, State Court Administrative Office, Lansing |
| 17 | Friend of the Court Association (FOCA), Cheers, Mt. Pleasant | 23 | Referees Association of Michigan Annual Meeting (RAM) Waterfront Inn, Traverse City |
| 22 | MSES (Medical Support Enforcement System) User's Group Annual Conference, Bovee University Center, Central Michigan University | 23-25 | Referees Association of Michigan (RAM) Spring Training Conference, Waterfront Inn, Traverse City |
| 22-23 | Understanding Sexual Violence: The Judicial Response to Stranger/Non-stranger Rape & Sexual Assault, Hotel Baronnette, Novi | 29-30 | JIS Circuit Court Training, State Court Administrative Office, Lansing |
| | | 30 | Personal Computer Skills for Court Administrators, Lansing Community College, Lansing |

June 2001

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| 1 | Michigan Association of Court Mediators (MACM) Board Meeting, Catholic Family Services, Mt. Pleasant | 13-14 | Advanced Skills Training for Spanish court interpreters, Access to Justice Program, State Court Administrative Office, Lansing |
| 5 | Regions III and IV Circuit Judges Meeting, Doherty Hotel, Clare | 14 | Region III District Court Administrators/Magistrates Meeting, Pohlcatt, Mt. Pleasant |
| 5-6 | Family Division: Experienced Domestic Relations Mediators Seminar, McCamly Plaza, Battle Creek | 14-15 | Michigan Probate and Juvenile Registers Association Annual Conference, Park Place Hotel, Traverse City |
| 6-7 | Regional Judicial Seminar, Sheraton Hotel, Lansing | 20-22 | Achieving Supervisory Excellence, Holiday Inn West, Lansing |
| 12 | Michigan Family Support Council, Ingham County Building, Lansing | 21 | Friend of the Court Association (FOCA), Cheers, Mt. Pleasant |
| 12 | Child Support Formula Subcommittee, State Court Administrative Office, Lansing | 25-28 | Juvenile Law I, Michigan State University, Detroit College of Law, East Lansing |
| | Michigan Judges Association Executive Board Meeting, University Club, East Lansing | 28 | Region III District Judges Meeting, Doherty Hotel, Clare |
| 12-13 | Regional Court Support Staff Seminar, Sheraton Inn, Ann Arbor | | |